

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ALICIA CARMEN GUILLERMO,

Plaintiff,

-against-

STARTING C & M CORP. D/B/A ANDY'S  
RESTAURANT, et al.,

Defendants.

23-CV-5022 (AS)

ORDER

ARUN SUBRAMANIAN, United States District Judge:

Pursuant to the Court's November 15, 2023 Order, Dkt. 30, the parties were required to file a joint status letter regarding Defendants New Andy's Restaurant and Judith Encarnacion's efforts to secure counsel no later than November 29, 2023.

When the parties failed to comply with that order, the Court extended the deadline to December 18, 2023. *See* Dkt. 32. The Court also ordered that, if the parties were unable to reach New Andy's Restaurant or Ms. Encarnacion, they should indicate in the letter whether they intended to move for default judgment or voluntarily dismiss claims against the non-appearing defendants.

Plaintiff filed a letter on December 18, 2023. That letter stated that the non-appearing defendants had been served, but counsel had not entered an appearance on their behalf. This status update provided only facts that were evident to the Court from the docket and did not comply with the Court's request.

No later than **January 12, 2024**, the parties should provide a joint status update that complies with the Court's instructions. Specifically, the status update should indicate (1) whether either party has spoken to Ms. Encarnacion or an attorney for New Andy's Restaurant since the October 17, 2023 pretrial conference; (2) what steps the parties have taken to contact the non-appearing defendants; and (3) whether the plaintiff intend to move for default judgment or voluntarily dismiss claims against the non-appearing defendants.

The parties are advised that failure to comply with these orders may lead to dismissal of the claims against the non-appearing defendants for failure to prosecute.

SO ORDERED.

Dated: December 19, 2023  
New York, New York

A handwritten signature in black ink, appearing to read 'Arun Subramanian', is written over a horizontal line.

ARUN SUBRAMANIAN  
United States District Judge